

BEFORE THE COMMISSIONER OF POLITICAL PRACTICES
OF THE STATE OF MONTANA

In the matter of the adoption of)	NOTICE OF PROPOSED
New Rule I pertaining to limitations on)	ADOPTION
individual and political party)	
contributions)	NO PUBLIC HEARING
)	CONTEMPLATED

TO: All Concerned Persons

1. On April 12, 2008, the Commissioner of Political Practices proposes to adopt the above-stated rule.

2. The Commissioner of Political Practices will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact us no later than 5:00 p.m., April 7, 2008, to advise us of the nature of the accommodation that you need. Contact Dennis Unsworth, 1205 8th Avenue, Helena, Montana 59620; telephone (406) 444-2942; fax (406) 444-1643; or e-mail dunsworth@mt.gov.

3. The rule as proposed to be adopted provides as follows:

NEW RULE: LIMITATIONS ON INDIVIDUAL AND POLITICAL PARTY CONTRIBUTIONS (1) Pursuant to the operation specified in 13-37-216, MCA, limits on total combined contributions from individuals to candidates are as follows:

- (a) a candidate for governor may receive no more than \$630;
- (b) a candidate for other statewide office may receive no more than \$310;
- (c) a candidate for all other public offices may receive no more than \$160;

(2) Pursuant to the operation specified in 13-37-216, MCA, limits on total combined contributions from political party committees to candidates are as follows:

- (a) a candidate for governor may receive no more than \$22,500;
- (b) a candidate for other statewide offices may receive no more than \$8,150;
- (c) a candidate for public service commission may receive no more than \$3,250;
- (d) a candidate for senate may receive no more than \$1300;
- (e) a candidate for all other public offices may receive no more than \$800;

(3) Pursuant to 13-37-218, MCA, in-kind contributions must be included in computing these limitation totals.

AUTH: 13-37-216, MCA

IMP: 13-37-218, 15-30-101(8) MCA

REASON: Section 13-37-216, MCA, requires the Commissioner to periodically adjust the limitations established in statute, and to publish the revised limitations as a rule.

MAR Notice No. 44-2-142.

The Bureau of Labor Statistics supplied the Consumer Price Index information. The information is used to determine the inflation factor to be applied to the contribution limits for candidates. This information is required by 13-37-216, MCA. It must be revised after January of each election year.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Dennis Unsworth, Commissioner of Political Practices, PO Box 202401, 1205 8th Avenue, Helena, Montana 59620; telephone (406) 444-2942; fax (406) 444-1643; or e-mail dunsworth@mt.gov and comments must be received no later than 5:00 p.m., April 10, 2008

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to the above address no later than 5:00 p.m., April 10, 2008.

6. If the agency receives requests for a public hearing on the proposed action from either 10% or 25, whichever is less, those directly affected by the proposed action; from the appropriate administrative rule review committee of the legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 132 based on the number of registered candidates and political committees in the 2004 election cycle.

7. The agency maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the agency.

8. An electronic copy of this Proposal Notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor notice requirements of 2-4-302, MCA, apply and have fulfilled. The primary bill sponsor was notified by e-mail on February 28, 2008.

/s/ Jim Scheier

Jim Scheier
Rule Reviewer

/s/ Dennis Unsworth

Dennis Unsworth
Commissioner of
Political Practices

Certified to the Secretary of State